

EXHIBIT 91



Message

From: Vickie Cleveland [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1499044685E34A2AB66381C621A8E416-VICKIE CLEV]
Sent: 4/24/2020 4:18:04 PM
To: Shaun Owen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f149da819b3d4fcea346f9249fb0c55e-Sonia Owen]; Zephine SmithDixon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffd8dcf803db420f8d7529093ed93d79-Zelphine Sm]
CC: Vickie Cleveland [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1499044685E34a2ab66381c621a8e416-Vickie Clev]
Subject: Documents for meeting tomorrow
Attachments: Assurances FY20 GNETS from RESA Fiscal Agent.pdf; Assurances FY20 from LEA Fiscal Agent.pdf; GNETS Funding 4-29-2020.pptx; Copy of HBO FY19 GNETS Formula Spreadsheet.xlsx

Greetings,

See the attached documents that we will discuss at our meeting today. Looking forward to the collaboration.

Thanks

Vickie D. Cleveland, Ed.S
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FY20 RESA Fiscal Agent Assurances GNETS Program _____
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Comes now, the _____ Regional Educational Services Agency (hereinafter "RESA"), designated fiscal agent by its member Local Education Agencies (hereinafter "LEAs") for the _____ Georgia Network for Educational and Therapeutic Support Program (hereinafter "GNETS Program"). We agree to operate the program in accordance with Georgia Department of Education Rules 160-4-7-.15 and 160-5-1-.35, O.C.G.A. §§ 20-2-152, 20-2-240, 20-2-270, 20-2-270.1, 20-2-272, 20-2-274, and Individuals with Disabilities Education Act and to abide by the following specific assurances regarding the operation of the GNETS program:

1. As to the students that require services from a GNETS Program by the LEA, the GNETS Program will coordinate with the participating LEAs to comply with the Georgia Special Education and General Education Assurances.
2. As to the students that require services from a GNETS Program by the LEA, the GNETS Program will coordinate with the participating LEAs to maintain compliance with all Georgia Rules for Special Education including attendance at Individualized Education Program meetings and educating students in the Least Restrictive Environment.
3. As to the students that require services from a GNETS program by the LEA, and the GNETS Program will coordinate with the participating LEAs to ensure the provision of textbooks, Common Core Georgia Performance Standards curriculum materials and resources, technology and its support, and state and local testing materials. Anything provided through the use of Quality Basic Education funds will be the responsibility of the LEAs.
4. The GNETS Program will ensure that restraint is used pursuant to the rules and guidelines of the Georgia Department of Education Rule (hereinafter "GaDOE") that govern the use of restraint. The GNETS Program will have available for review by the GaDOE the most current version of its written procedures for the use of restraint.
5. The GNETS Program will coordinate with the participating LEAs to ensure that facilities will be provided and maintained. Each facility shall be covered by a Safe School Plan (hereinafter "SSP"). GNETS Programs located within another public school facility will be covered by that facility's SSP. GNETS Programs located in facilities not housing another public school will have a SPP available for review by the GaDOE. GaDOE staff will assist in the development of this plan if needed.
6. The RESA will ensure that all employees of the GNETS program or any person with unsupervised access to students are fingerprinted as required by O.C.G.A. § 20-2-211(e).
7. The GNETS Program will ensure that funds will be budgeted and utilized according to state and federal accounting procedures. Funds will not be spent for any purpose not included in the approved FY20 GNETS budget.
8. The GNETS Program budget amendments will be submitted when expenditures in a function category exceed 125% of the approved amount.
9. Prior to expending state or federal GNETS grant funds to purchase any equipment that (1) has a useful life of two or more years and (2) would be purchased with \$1,000 or more of state grant funds or \$5,000 or more in federal grant funds, the GNETS Program shall submit a purchase request to GaDOE for approval.
10. The GNETS Program may request to carry-over up to 25% of federal funds. Such request shall be approved by the GaDOE.
11. RESA shall maintain written procedures governing the purchasing of goods and services when using state and federal GNETS grant funds. Such procedures shall include a competitive pricing

FY20 RESA Fiscal Agent Assurances
GNETS Program

requirement for any equipment costing \$1,000 or more if the purchase is from state funds or \$5,000 or more if the purchase is from federal funds, if the equipment has a useful life of two years or more.

12. The Executive Director of the RESA will be subject to all of the requirements and limitations placed upon the Board of Control members as stated in O.C.G.A. § 20-2-505.
13. The GNETS Program shall not knowingly employ, contract with or make payment to an employee of the GaDOE or a family member of an employee of the GaDOE. For purposes of this provision, "family member of an employee" shall mean a GaDOE employee's father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, spouse of an in-law, or a member of the employee's household. This provision shall not be applicable to employees hired before September 1, 2008. Notwithstanding the foregoing, the GNETS Program may employ, contract or make payment to an employee or family member of an employee of the GaDOE upon receipt of prior written approval from the GaDOE's Human Resources office and the State Superintendent of Schools or his designee. No employee assigned to the GNETS Program shall supervise or be supervised by his or her family member.
14. The RESA shall not pay out of state or federal GNETS grant funds to another GNETS program director or full-time staff member for consulting services, including but not limited to professional learning and technical assistance services, unless the GaDOE previously approved in writing the employee's request to perform such consulting services.
15. The RESA shall maintain written procedures governing the employment of family members of RESA employees and have available for review by the GaDOE. This procedure shall include a provision allowing for its waiver by vote of the Board of Control.
16. The GaDOE reserves the right to withhold GNETS funding if the RESA fails to provide, by request in a timely manner to the GaDOE, the written procedures it is required to develop in Paragraphs 4, 5, 11, and 15. The GaDOE reserves the right to withhold GNETS funding if the RESA fails to provide to document any subsequent amendments made to the aforementioned written procedures.
17. All employees assigned to the GNETS program or those paid by grant funds will comply with the Georgia Professional Standards Commission's Code of Ethics for Educators.
18. Pursuant to Georgia Rule 160-4-8-.04, the GNETS Program shall have Written Procedures for Reporting Suspected Child Abuse or Mistreatment and all staff will be trained in reporting procedures. Such procedures will be on file and available for review at the request of GaDOE.

 Signature
 Chair, RESA Board of Control

 Date

 Signature,
 RESA Executive Director

 Date

 Signature, GNETS Director

 Date

FY20 LEA Fiscal Agent Assurances GNETS Program:_____

Comes now, _____, Superintendent of _____ School District, as the designated fiscal agent for the _____ Georgia Network for Educational and Therapeutic Support (GNETS) Program. I agree to operate the program in accordance with Georgia Department of Education Rules 160-4-7-.15 and 160-5-1-.35, O.C.G.A. §§ 20-2-152, 20-2-240, 20-2-270, 20-2-270.1, 20-2-272, 20-2-274, and Individuals with Disabilities Education Act and to abide by the following specific assurances regarding the operation of the GNETS program:

1. As to the students that require services from a GNETS Program by the participating local education agencies (hereinafter "LEAs"), the GNETS Program will coordinate with the participating LEAs to comply with the Georgia Special Education and General Education Assurances.
2. As to the students that require services from a GNETS Program, the GNETS Program will coordinate with the participating LEAs to maintain compliance with all Georgia Rules for Special Education, including attendance at Individualized Education Program meetings and educating students in the Least Restrictive Environment.
3. As to the students that require services from a GNETS Program by the participating LEAs, and the GNETS Program will coordinate with the participating LEAs to ensure the provision of textbooks, Georgia Standards of Excellence curriculum materials and resources, technology and its support, and state and local testing materials. Anything provided through the use of Quality Basic Education funds will be the responsibility of the LEAs.
4. The GNETS Program will coordinate with the participating LEAs to ensure that facilities will be provided and maintained. Each facility shall be covered by a Safe School Plan (hereinafter "SSP"). GNETS Programs located within another public school facility will be covered by that facility's SSP. GNETS Programs located in facilities not housing another public school will have a SSP on file and available for review at the request of GaDOE. GaDOE staff will assist in the development of this plan if needed.
5. The LEA will ensure that all employees of the GNETS Program or any person with unsupervised access to students are fingerprinted as required by O.C.G.A. § 20-2-211(e).
6. The GNETS Program will ensure that funds will be budgeted and utilized according to state and federal accounting procedures. Funds will not be spent for any purpose not included in the approved FY20 GNETS budget. The GNETS Program budget amendments will be submitted when expenditures in a function category exceed 125% of the approved amount.
7. Prior to expending state or federal GNETS grant funds to purchase any equipment that (1) has a useful life of two or more years and (2) would be purchased with \$1,000 or more of state grant funds or \$5,000 or more in federal grant funds, the GNETS Program shall submit a purchase request to GaDOE for approval.
8. The GNETS Program may carry-over up to 25% of Federal funds annually. The GNETS Program may request a waiver once every three years for 100% carry-over. Such request shall be approved by the GaDOE.
9. The LEA shall have available to the GaDOE a copy of its written procedures governing the purchasing of goods and services when using state and federal GNETS grant funds. Such procedures shall include a competitive pricing requirement for any equipment costing \$1000 or more if the purchase is from state funds or \$5000 or more if the purchase is from federal funds, if the equipment has a useful life of two years or more.
10. The GNETS Program shall not knowingly employ, contract with or make payment to an employee of or a family member of an employee of the GaDOE. For purposes of this provision, "family member of an employee" shall mean a GaDOE employee's father, mother, son, daughter, brother, sister, uncle, aunt,

FY20 LEA Fiscal Agent Assurances GNETS Program:_____

first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, spouse of an in-law, or a member of the employee's household. This provision shall not be applicable to employees hired before September 1, 2008. Notwithstanding the foregoing, the GNETS Program may employ, contract or make payment to an employee or family member of an employee of the GaDOE upon receipt of prior written approval from the GaDOE's Human Resources office and the State Superintendent of Schools or his designee. No employee assigned to the GNETS Program shall supervise or be supervised by his or her family member.

11. The LEA shall not pay out of state or federal GNETS grant funds to another GNETS program director or full-time staff member for consulting services, including, but not limited to, professional learning and technical assistance services, unless the GaDOE previously approved in writing the employee's request to perform such consulting services.
12. The LEA shall have available to the GaDOE a copy of its written procedures governing the employment of family members of LEA employees. This procedure shall include a provision allowing for its waiver by vote of the Board of Education. To the extent this procedure is created subsequent to these assurances, it may provide for a grandfather clause applicable to all existing employees.
13. The GaDOE reserves the right to withhold GNETS funding if the LEA fails to maintain the written procedures it is required to develop in these assurances or to have available for review upon request of the GaDOE. The GaDOE reserves the right to withhold GNETS funding if the LEA fails to provide to the GaDOE any subsequent amendments made to the aforementioned written procedures.
14. All employees assigned to the GNETS program or those paid by grant funds will comply with the Georgia Professional Standards Commission's Code of Ethics for Educators.
15. Pursuant to Georgia Rule 160-4-8-.04, the GNETS Program shall have Written Procedures for Reporting Suspected Child Abuse or Mistreatment and all staff will be trained in reporting procedures. Such procedures will be on file and available for review at the request of GaDOE.

 Superintendent Signature

 Date

 LEA

 GNETS Program Director Signature

 Date

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GNETS Funding

How is GNETS funded?



State Grant



Federal IDEA Funds



Local Contributions/LEA

Local contribution/local fees



GNETS FY20 Funding

State Grant

\$62,285,243

Federal IDEA Grant

\$7,910,000

Local

Contribution/Local Fees

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GA00054567.004

Funding Breakout Ratios

Direct Instruction per student	
Teacher per student Ratio*	16.5
Paraprofessional per student Ratio**	16.5
Classroom Supply per student	\$188.81

Indirect Support per student	
Supervisor per student***	1.50
Psychologist per student****	1.100
Social Worker per student****	1.50
Administrative Assistant per student*****	1.50
Operating Supply per student	1.50
Facility Maintenance per student	\$288.00

Other Adjustments per student	
State Austereity Adjustment	Varies (based on recommended reductions approved by General Assembly)
Supplemental Federal Funds	Varies (based on availability of federal funds)
Supplemental State Funds	Varies (based on availability of additional state funds)

Director Funding per GNET's Center**	Varies (based on salary increases and changes in fringe rates)
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Health Insurance Funding per Teacher	\$11,340.00
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Training and Experience Supplement per Teacher*	Varies (based on individual teachers' education level and years of experience)
--	--

*Teacher salary based on 10 month contract in FY20 with fringes is \$45,532.06

**Paraprofessional salary in FY20 is \$10,000

***Supervisor salary based on 12 month contract in FY20 with fringes is \$54,458.47

****Psychologist and social worker rate is the same as a teacher

*****Administrative assistant rate with fringes is \$17,470.94 in FY19

*Director funding with fringes in FY20 is \$54,458.47

**Average in FY20 is \$19,507.96 per teacher

FY20 Student Record Count

2019	2018	2017	Weighted FY19	Weighted FY18	Weighted FY17	Final FY21
Count	Count	Count	50%	25%	25%	Student Count
413	454	480	207	114	120	440
136	148	174	68	37	44	149
219	218	229	110	55	57	221
99	88	97	50	22	24	96
244	261	323	122	65	81	268
206	201	236	103	50	59	212
199	217	227	100	54	57	211
60	56	56	30	14	14	58
104	114	120	52	29	30	111
155	166	149	78	42	37	156
392	366	408	196	92	102	390
117	135	156	59	34	39	131
265	256	263	133	64	66	262
80	90	109	40	23	27	90
103	97	96	52	24	24	100
96	96	105	48	24	26	98
206	188	178	103	47	45	195
84	103	98	42	26	25	92
193	275	234	97	69	59	224
40	70	110	20	18	28	65
46	60	45	23	15	11	49
161	167	199	81	42	50	172
114	115	127	57	29	32	118
55	57	60	28	14	15	57
3787	3998	4279	1894	1000	1070	3965

GNETS Funding Breakout Ratios

Direct Instruction per student

Teacher per student Ratio* 1:6.5

Paraprofessional per student Ratio** 1:6.5

Classroom Supply per student \$188.81

GNETS Funding Breakout Ratios

Indirect Support per student		
Supervisor per student***	1:50	
Psychologist per student****	1:100	
Social Worker per student****	1:50	
Administrative Assistant per student****	1:50	
Operating Supply per student	1:50	
Facility Maintenance per student		\$298.00

Sample Funding Breakout Indirect Support per Student Count

- John Doe program has a GNETS student count of 250 students
- Funding breakout ratios for indirect support would reflect the following:
- 5 supervisors (i.e. Coordinators)
- 5 social workers
- 2.5 Psychologists

State Allocation Per Program

GNETS Program Name	Fiscal Agent	FY20 GNETS	State Allocations
Elam Academy	Bibb County		\$6,971,382.00
Coastal Ga Comprehensive Academy	Chatham County		\$3,167,585.00
South Metro	Clayton County		\$3,966,258.00
H.A.V.E.N.	Cobb County		\$4,828,997.00
Flint Area Learning Program	Crisp County		\$684,297.00
Dekalb-Rockdale	Dekalb County		\$3,001,412.00
Oaktree	Dougherty County		\$1,729,051.00
Horizon Academy	Coastal Plains RESA		\$2,605,318.00
Woodall	Muscogee County		\$571,938.00
Sand Hills	Richmond County		\$1,381,677.00
Mainstay Academy	Spalding County		\$3,079,376.00
Pathways	Thomas County		\$1,507,535.00
Riverquest	Central Savannah River RESA		\$560,147.00
Cedarwood	First District RESA (cedarwood)		\$1,633,353.00
Coastal Academy	First District RESA (coastal)		\$2,379,477.00
Heartland Academy	Heart of Georgia RESA		\$1,861,380.00
North Metro	Metro RESA		\$5,948,059.00
Rutland	North Georgia RESA		\$1,335,539.00
Northstar	Northeast Georgia RESA		\$1,907,095.00
Northwest GA	Northwest Georgia RESA		\$4,087,118.00
GNETS of Oconee	Oconee RESA		\$1,196,846.00
Harrell Learning Center	Okefenokee RESA		\$1,272,022.00
Futures	Pioneer RESA		\$2,842,780.00
Burnwell	West Georgia RESA		\$3,766,601.00
			\$62,285,243.00

Federal Allocation Per Program

GNETS Program Name	Fiscal Agent	FY20 GNETS	Federal Allocations
Elam Academy	Bibb County		515,000.00
Coastal Ga Comprehensive Academy	Chatham County		365,000.00
South Metro	Clayton County		365,000.00
H.A.V.E.N.	Cobb County		415,000.00
Flint Area Learning Program	Crisp County		265,000.00
DeKalb-Rockdale	DeKalb County		365,000.00
Oaktree	Dougherty County		315,000.00
Horizon Academy	Coastal Plains RESA		315,000.00
Woodall	Muscogee County		265,000.00
Sand Hills	Richmond County		315,000.00
Mainstay Academy	Spalding County		315,000.00
Pathways	Thomas County		265,000.00
Riverquest	Central Savannah River RESA		265,000.00
Cedarwood	First District RESA (cedarwood)		315,000.00
Coastal Academy	First District RESA (coastal)		315,000.00
Heartland Academy	Heart of Georgia RESA		315,000.00
North Metro	Metro RESA		415,000.00
Rutland	North Georgia RESA		265,000.00
Northstar	Northeast Georgia RESA		315,000.00
Northwest GA	Northwest Georgia RESA		365,000.00
GNETS of Oconee	Oconee RESA		265,000.00
Harrell Learning Center	Okefenokee RESA		315,000.00
Futures	Pioneer RESA		315,000.00
Bunwell	West Georgia RESA		365,000.00
			7,910,000.00

Federal Budget Allocation Calculation

Student Count	Allocation
<100=	265,000
100-200	315,000
200-300	365,000
300+	415,000
4 - 450	465,000
450+	515,000

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FY20 Contracts/Grants

	The purpose of this grant is to allocate state funds to the Georgia Network for Educational and Therapeutic Support (GNETS) fiscal agents, to cover the cost of providing teachers with diagnostic data and instructional materials that will be used to write IEPs and remediate identified academic weaknesses for students served by GNETS.	\$160,248.00
Curriculum Associates (Iteady)		
Staff Rehab	Therapeutic services reimbursement grant for GNETS fiscal agents covering the costs incurred by GNETS to provide therapeutic counseling services to children with identified significant mental health and behavioral needs. Grant will be provided to 13 GNETS sites to hire licensed clinical social workers.	\$900,000.00
Georgia State University/FBA BIP	Contract with GSU to provide Functional Behavioral Assessment/Behavior Intervention Plan (FBA/BIP) to increase the capacity of Georgia educators to implement the functional behavior assessment/behavior intervention plan (FBA/BIP) process in their schools and to increase the capacity of Georgia educators to train their district colleagues on the FBA/BIP process.	\$75,000.00
Georgia State University/FBA BIP	Contract with GSU to provide Trauma Informed Care (TIC) training to GNETS staff to increase the level of trauma-informed practices and care at multiple levels within GNETS programs.	\$25,000.00
Nquire Services	Purchase of SDQ assessments for GNETS sites. Assessment helps identify and manage children's behavioral/emotional strengths and weaknesses for students served by GNETS.	\$8,025.00
Jigsaw/Teachtown (RBT)	Contract with Jigsaw Learning to provide tuition instruction for 40 GNETS behavior staff members. This work will build the skill sets of GNETS behavioral staff to engage in behavior reduction and skill acquisition strategies for students served by GNETS.	\$48,000.00
Jigsaw/Teachtown (ABA Pro licenses)	Contract with Jigsaw Learning (Teachtown) to provide Applied Behavior Analysis (ABA) principles as a self-guided professional development and a GNETS support platform specially designed for GNETS teachers and paraprofessionals.	\$59,302.00
Pearson/BASC-3	Reimbursement for purchase of BASC-3 assessments for GNETS sites. Assessment helps identify and manage children's behavioral/emotional strengths and weaknesses.	\$10,000.00
Total Contracts/Grants		\$1,285,575.00

Program Manager Budget

Class Description	FY20 Allocation
Personal Services	\$143,803.00
Regular Operating Expense	\$24,025.00
Computer Charges	\$1,967.00
Real Estate Charges	\$4,592.00
Telecommunications	\$1,560.00
Contracts	\$1,285,575.00
Total SEA	\$1,461,522.00

Grant Application

- GNETS Grant application aligns to the strategic plan
- Program assurances

Funding Discussion Items

- Funding formula
- Indirect Costs
- GNETS QBE Funding
- LEAs that pull out of the network
- LEAs that only provide services to their students
- CARES Act
- USED update received 1/21/2020
- Fiscal agents for GNETS programs
- GNETS II funding question

GNETS Board Rule-Fiscal Agent

- The Fiscal Agent shall:
 1. Be either the respective LEA(s) and/or Regional Educational Service Agency affiliated with the GNETS Services.
 2. Account for and disburse grant funds in accordance with general accepted accounting and financial reporting principles to restricted GNETS accounts, including, but not limited to, maintenance and operation, instructional materials, media, and sick leave. (For information concerning procedures, see the *Financial Management for Georgia Local Units of Administration*.)
 3. Submit financial reports as required by the SEA and the GaDOE.
 4. Monitor facilities for safety and accessibility for students served by GNETS and report identified concerns to all key stakeholders including, LEAs, GNETS directors and any other appropriate parties.
 5. Report requested data to the SEA or the GaDOE.
 6. Submit grant applications and budgets through the consolidated application. The fiscal agent will calculate indirect cost using one percent. Indirect cost may be used for providing such services as accounting, data processing and purchasing.
 7. Serve in this capacity for the respective unit, for a minimum of three fiscal years in accordance with O.C.G.A. §20-2-270.
 8. Ensure that GNETS services are provided for all local school systems within the GNETS service area.
- (e) Any fiscal agent who decides to no longer serve as fiscal agent for GNETS shall meet with school superintendents of the local school systems within a service area to take a vote no later than April 1 to be effective for the ensuing fiscal year.

GNETS II Funding Question

- Plaintiffs contend that by creating, maintaining, **funding**, and operating the Georgia Network for Educational and Therapeutic Services (GNETS), Defendants are providing them with an inferior education and excluding them from access to educational opportunities and integrated services in violation of their rights under the Americans with Disabilities Act, the Rehabilitation Act, and the Fourteenth Amendment to the United States Constitution.

GNETS II Funding Question

- **Defendants:** Plaintiffs are challenging a point on the spectrum of education services for Georgia's children. **The GNETS program is not operated by the State, though the State does provide some funding for the GNETS program, and it does have some regulations that address GNETS grants,**

Next Steps



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